

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

EXTENDED STAY, INC., *et al.*,

Debtor.

WALKER, TRUESDELL, ROTH & ASSOCIATES, as Trustee for and on behalf of Extended Stay Litigation Trust, HOBART TRUESDELL, as Trustee for and on behalf of the Extended Stay Litigation Trust, and THE EXTENDED STAY LITIGATION TRUST

Plaintiffs,

v.

ARCHON GROUP, L.P., individually and as servicer; STARWOOD CAPITAL GROUP GLOBAL, L.P.; DEBT U ESH, L.P., DEBT II ESH, L.P.; WACHOVIA BANK, N.A.; SQUARE MILE CAPITAL MANAGEMENT, LLC; ESH OWNER, LLC; KEYBANK, N.A.; U.S. BANK, N.A., not individually but solely as Trustee for Maiden Lane Commercial Mortgage-Backed Securities Trust 2008-1 and the Federal Reserve Bank of New York; and DOES 1 through 100, inclusive,

Defendants.

Chapter 11

Case No. 09-13764

(Jointly Administered)

Adv. Pro. No. 11-2259 and

Case No. 11-05864

**JOINDER OF KEYBANK,  
NATIONAL  
ASSOCIATION IN THE  
OPPOSITION OF  
WACHOVIA BANK, N.A.  
TO THE TRUSTEE'S  
MOTION TO WITHDRAW  
THE REFERENCE**

BUCHANAN INGERSOLL & ROONEY PC  
1290 Avenue of the Americas, 30th Floor  
New York, NY 10104  
212-440-4562

*Attorneys for Defendant KeyBank, National  
Association*

Dated: September 9, 2011

Defendant KeyBank, National Association, respectfully submits this joinder in the Opposition of Wachovia Bank, N.A. to the Trustee's Motions to Withdraw the Reference ("Opposition").

Defendant KeyBank, joins in Opposition. Like Wachovia, Keybank filed Proofs of Claim in these proceedings.<sup>1</sup>

WHEREFORE, for the reasons set forth in the Opposition, KeyBank requests that the Court deny the Plaintiff's motion for an order withdrawing the reference of Adversary Proceeding No. 11-0-2259.

Dated: New York, New York  
September 9, 2011

BUCHANAN INGERSOLL & ROONEY PC

By:

  
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William H. Schorling (WS-6632)  
Kristi A. Davidson (KD-4753)

1290 Avenue of the Americas, 30th Floor  
New York, New York 10104  
Telephone: (212) 440-4562  
Facsimile: (212) 440-4401

*Attorneys for Defendant KeyBank, National Association*

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<sup>1</sup> Copies of the Proofs of Claim which were filed on January 15, 2010 are attached to the Declaration of Scott Childs in Support of KeyBank, N.A.'s Joinder in the Opposition of Wachovia Bank, N.A. to the plaintiffs' Motion to Withdraw the Reference filed September 9, 2011.